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11 *Attorneys for Defendants Volkswagen AG,*
12 *Dr. Ing. h.c. F. Porsche AG, and Porsche*
Cars North America, Inc.

13 **UNITED STATES DISTRICT COURT**
14
15 **NORTHERN DISTRICT OF CALIFORNIA**
16
17 **SAN FRANCISCO DIVISION**

17 IN RE: VOLKSWAGEN “CLEAN DIESEL”)
18 MARKETING, SALES PRACTICES, AND)
19 PRODUCTS LIABILITY LITIGATION)

20 _____)
This Document Relates to:)

21 Porsche Gasoline Litigation)
22)
23)
24)
25)
26)
27)
28)

MDL No. 2672 CRB (JSC)

The Honorable Charles R. Breyer

STIPULATION AND
[PROPOSED] ORDER
REGARDING BRIEFING
SCHEDULE AND PAGE LIMITS

1 WHEREAS, on January 15, 2021, Plaintiffs Christopher Allen, John Aronson,
 2 Frank Belle, Erik Bloom, Ashish Chadha, Frank Cohen, Rafael Daniels, Ernesto Del Barrio,
 3 Alan Essreg, Mallen Fajardo, Vernon Gallion, Jeffery Henderson, Isaias Iniguez, Frederick
 4 Jeng, Andrew Kavan, Eric Lee, Milton Lee, Saul Luvica, Lee Marks, Jino Masone, Robbie
 5 McCarthy, Peter Menger, Philipp Novales-Li, George Pearl, David Perkins III, Tyrell Pierce,
 6 Mauricio Pinto, Cecil Robinson, Richard Schubert, Luigi Sciabarrasi, Sander Shady, Oscar
 7 Sotelo II, Dyana Spiess, Orville Taylor, Lawrence Tougas, John Vorisek, and Owen Williams
 8 (“Plaintiffs”) on behalf of themselves and a putative class of all other similarly situated, filed
 9 the Consolidated Class Action Complaint (“Complaint”) against Dr. Ing. h.c. F. Porsche AG,
 10 Porsche Cars North America, Inc., and Volkswagen AG (“Defendants,” together with
 11 Plaintiffs, the “Parties”) (Docket No. 7803);

12 WHEREAS, the Complaint is 431 pages in length and contains 2821 numbered
 13 paragraphs;

14 WHEREAS, pursuant to Pretrial Order No. 1, Defendants are “granted an
 15 extension of time for responding by motion or answer to the complaints until a date to be set by
 16 this Court.” (Docket No. 2);

17 WHEREAS, to fully address the grounds for dismissal of the Complaint,
 18 Defendants have concluded they will require up to 60 pages for their memorandum of points
 19 and authorities in support of their motion to dismiss and will require up to 30 pages for their
 20 reply memorandum in support of their motion to dismiss;

21 WHEREAS, Plaintiffs do not oppose the requested extensions, provided that
 22 Plaintiffs be afforded 60 pages for Plaintiffs’ memorandum and points of authority in
 23 opposition to Defendants’ motion to dismiss;

24 NOW, THEREFORE IT IS HEREBY STIPULATED AND AGREED, by and
 25 among the parties hereto, pursuant to Local Rules 6-1(a) and 7-4(b), subject to approval by the
 26 Court, that:

- 27 1. Defendants shall have until May 14, 2021 to file a motion to dismiss the
 28 Complaint (the “Motion to Dismiss”) not to exceed 60 pages;

2. Plaintiffs shall have until August 12, 2021 to file an opposition to the Motion to Dismiss not to exceed 60 pages; and
3. Defendants shall have until October 11, 2021 to file a reply in support of the Motion to Dismiss not to exceed 30 pages.

Dated: April 20, 2021

Respectfully submitted,

/s/Laura Kabler Oswell

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/s/Kevin R. Budner

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Plaintiffs' Lead Counsel

PURSUANT TO STIPULATION, **IT IS SO ORDERED.**

Dated: _____, 2021

CHARLES R. BREYER
United States District Judge

ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the signatories.

Dated: April 20, 2021

SULLIVAN & CROMWELL LLP

/s/ Laura K. Oswell

Laura K. Oswell